

EXHIBIT C

Part II

on 10-16-69

DATE	PROCEEDINGS
4-3-67	LOWELL M. BIRRELL - Filed Opinion # 33381 - HERLANDS, J. - " This motion by the defendant * to dismiss Counts Two through Sixteen of the indictment or, alternatively, to compel the Government to elect one count out of Counts One through Sixteen for purposes of trial * * * * * The motion is denied in all respects without prejudice to renewal at the conclusion of the Government's direct case at the trial. So ordered." (SEE Opinion and Order) (mailed notice on 4/4/67).
4-7-67	Filed Affidavit of Arthur H. Crbristy Esq., in support of motion to release defts., Messrs. Glassman, Krumholz, M. Levine & H. Levine on their own recognizance.
4-7-67	LEO GLASSMAN) MAX LEVINE) HARRY LEVINE) PHIL F. KRUMHOLZ) - BEFORE: HERLANDS, J. - Filed Memorandum # 33399 - " The four defendants herein seek to be released on their own recognizance. * * * * * In view of the foregoing, the Court grants the within motion and the defendants shall be released on their own recognizance. So ordered. 4/7/67 HERLANDS, J." (Mailed notice on 4/10/67). (SEE Memorandum & Order).
5-23-67	LOWELL M. BIRRELL - Filed Opinion #33558. Deft's motion for inventory denied. Deft's motion for pretrial hearing denied. (see opinion)(notices mailed) HERLANDS, J. So ordered.
6-9-67	LOWELL M. BIRRELL-Filed Govt's opposing affdvt to motion for inventory.
6-9-67	LOWELL M. BIRRELL-Filed Govt's memorandum of law.
6-9-67	Filed Govt's rebuttal affdvt. w/memorandum of law.
6-9-67	LOWELL M. BIRRELL-Filed affdvt & notice of motion for pretrial hearing pursuant to Rules 12(b)(1), (4) & 41(a), ret. 3-14-67, Rm. 1903. w/memorandum of law.
6-9-67	Filed Govt's opposing affdvt to motion to dismiss cts. 2 thru 16, etc.
6-9-67	Filed Govt's opposing affdvt to motion for pretrial hearing w/memorandum of law.
6-16-67	Hearing held-Motion for enlargement of bail limits ret. 6-22-67, 9:30 AM Rm. 1903. All pretrial motions made ret. 8-29-67, 10:30 A.M., Rm. 118. Case set for trial for 12-4-67, at 10:30 A.M. HERLANDS, J.
6-22-67	LOWELL M. BIRRELL - Filed Affidavit of Stephen F. Williams, Esq., AUSA, in opposition to deft's motion for enlargement of his bail limits and also filed Gov't's Memorandum of Law in opposition to the appl'n. <i>Revised</i>
6-22-67	MORRISON GILBERT - Docketed Affidavit, Consents & Order, filed 6/21/67, extending the deft's bail limits. MANSFIELD, J. (Mailed notice 6/22/67)
	-OVER-
	X
	X
	X

DATE	PROCEEDINGS
-22-67	LOWELL M. BIRRELL - Filed Affidavit and Notice of Motion (Leduc Case) - to enlarge the defendant's bail limits. Memorandum endorsed: " Motion disposed of in accordance with Court's rulings dictated into the record today. Submit Order, in compliance with Court's directions. That branch of the motion relating to the Continental United States is granted upon the terms and conditions, as set forth in the official reporter's minutes. That branch of the motion relating to Canada is denied. So ordered, (Atty present). HERLANDS, J. 6/22/67 <i>Continued to check - Herlands, J.</i>
-29-67	LOWELL M. BIRRELL - Filed CJA Form 3 and CJA Form 3 a consisting of two sheets (Affidavit of Financial Status) appointing Charles M. Brower, Esq., 14 Wall Street, New York, N.Y. 10005, Re -2 - 1040, dated 6/29/67, in place of William J. Brennan, III who is relieved of further responsibility. HERLANDS, J. (SEE 61 Cr 820 & 61 Cr 903). (Copy mailed to Adm. Office, Wash. D.C.)
-30-67	LOWELL M. BIRRELL - Filed Consents and Order further extending the def't's bail limits. So Ordered. HERLANDS, J.
7/18/67	<i>Filed Transcript of record of proceedings, dated 4/27/67</i>
7/27/67	<i>Filed Transcript of record of proceedings, dated 16/17/66</i>
8/18/67	L.M. BIRRELL:- Filed affidavit and notice of motion for order to demonstrate Def't, not a fugitive Etc.
8/18/67	L.M. BIRRELL Filed affidavit and notice of motion for an order to take depositions of American Leduc. Etc.
8/18/67	L.M. Birrell:- Filed affidavit and notice of motion for return of seized property and supporting affidavit.
8/18/67	L.M. BIRRELL:- Filed affidavit and notice of motion to dismiss indictment xxx on grounds defendants property lost, etc. w/memo. of law.
8/18/67	L.M. BIRRELL:- filed affidavit and notice of motion to dismiss indictment on grounds obtained in violation of The fifth amendment W/ memo. of law.
8/18/67	L.M. BIRRELL:- Filed affidavit and notice of motion for discovery and inspection W/ Memo. of law. <i>TO HERLANDS, J.</i>
8/21/67	L.M. BIRRELL: Filed affidavit and notice of motion for return of files and papers suppressed for use as evidence. <i>TO HERLANDS, J.</i>
3-22-67	Filed affidavit of Pemahem Stim- Filed in 61 Cr. 200
-28-67	Filed CJA form 3 appointing legal aid as co-counsel- Herlands, J. (filed in 61 Cr. 200) mailed copy of order to Adm. office Washington D.C.
-29-67	L.M. BIRRELL: Filed affidavit of S.L. Hammerman, AUSA dated 8-29-67, memorandum of law.
11-67	L.M. BIRRELL: Filed affidavit & order to show cause enjoining all persons from entering, removing documents from, making photocopies etc. from any filed xxx seized from def't on 8-22 and 24, 1959 lodged in room 501.
19-67	LOWELL M. BIRRELL - Filed Order directing the Gov't to furnish def't with the particulars consented to by the Gov't, etc. (SEE ORDER) (Mailed notice 9/20/67 HERLANDS, J.
19-67	LOWELL M. BIRRELL - Filed Gov't's UNSIGNED order re: bill of particulars
19-67	LOWELL M. BIRRELL - Filed Bill of Particulars, dated 9/12/67.

DATE	PROCEEDINGS
9-22-67	LOWELL M. BIRRELL - Filed Supplemental Memorandum of def't in support of five motions. <i>(Sent to Herlands, J. 9/22/67)</i>
9-22-67	LOWELL M. BIRRELL - Filed Affidavit of Charles N. Brower, Esq. (Supplemental), dated 9/22/67. <i>(Sent to Herlands, J. 9/22/67)</i>
10-4-67	LOWELL M. BIRRELL - Filed Voucher (CJA 4) and approval (CJA 5) for allowance to Walter J. Brennan, III, Esq., atty in sum of \$921.56 (originals mailed to Adm. Office)
11-9-67	LOWELL M. BIRRELL - Filed Affidavit & notice of motion to dismiss the indictment. ret. 11-13-67.
11-9-67	LOWELL M. BIRRELL - Filed Affidavit of Charles N. Brower, Esq. (Supplemental), dated 9/22/67. (Sent to Herlands, J. 9/22/67)
11-13-67	LOWELL M. BIRRELL - Memorandum endorsed on motion, filed 11/9/67:- " Respectfully referred to Judge Herlands with his consent. McGohery, J."
11-14-67	LOWELL M. BIRRELL - 2nd Memorandum endorsed on motion, filed 11/9/67. " The within motion is denied, in all respects. So ordered. HERLANDS, J." (SEE Memorandum and Order) (Mailed notice on 11/15/67).
11-15-67	Filed reply affidavit of Ass't. U.S. Atty Stephen F. Williams. Re; Motion to recuse. filed in 61-cr.200) (Herlands, J.)
11-15-67	Filed supplemental affidavit of Asst. U.S. Atty Stephen L. Hammerman (Herlands, J.)
11-15-67	LOWELL M. BIRRELL: Filed Opinion #34,186. Motion to disqualify Judge Herlands denied-So ordered. Motion for injunctive relief denied-So ordered. Motion for return of documents denied without prejudice to renewal after trial-So ordered. Motion for dismissal of indictment denied-So ordered. Motion to take depositions denied-So ordered. Motion to precluded, etc. denied-So ordered. Motion for discovery & inspection-Granted or denied as indicated-foregoing opinion constitutes an order. (notice mailed) HERLANDS, J.
11/20/67	LOWELL M. BIRRELL, Filed Defendants questions for voir dire of jurors.
11-27-67	LOWELL M. BIRRELL - Filed affidavit of Charles N. Brower in support of application for adjournment of trial.
11-28-67	LOWELL M. BIRRELL - MEMO ENDORSED and affidavit dtd. 11-27-67 on affidavit of Charles N. Brower filed 11-27-67 - "Motion denied after argument, for the reasons stated on the record. So ordered." W HERLANDS, J. (notice mailed)
11-28-67	LOWELL M. BIRRELL BIRRELL - Filed affidavit of Stephen L. Hammerman, AUSA sworn to 11-27-67 in opposition to defendant's application for adjournment of trial.
11-30-67	LOWELL M. BIRRELL - Filed Government's proposed examination of prospective jurors.
11-30-67	LOWELL M. BIRRELL - Filed Government's Objections to the questions proposed by defendant Birrell for voir dire voir dire of jurors.
11-30-67	LOWELL M. BIRRELL - Hearing held. re; Exceptions to proposed Voir Dire. Defendant moves to DIMISS counts 17 to 21 inclusive. No objection by Govt. Motion Granted. HERLANDS, J.

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MC LEAN, J. RULE 2

on 10-18-69

DATE	PROCEEDINGS
2-26-67	Filed Governments exhibit 3500(62) ordered impounded, sealed and placed in the vault, Room 602- Herlands, J.
* *	LOWELL M. BIRRELL
12-28-67	Filed affidavit of Martin Portnoy, Esq. dated 12-28-67.
12-26-67	L.M. BIRRELL - Trial cont'd.
12-27-67	L.M. BIRRELL - Trial cont'd.
12-28-67	L.M. BIRRELL - Trial cont'd. and concluded. Jury verdict Guilty on each of counts 22 to 32 inclusive & jury disagreement on each of counts 1, 2, 3, 5, and 7 Mistrial declared on each of counts 1, 2, 3, 5 and 7. NO PRE-SENTENCE report ordered. NO date set for sentence defendant remanded. HERLANDS, J.
12-28-67	L.M. BIRRELL - Filed affdvt. of Stephen L. Hammerman, AUSA dated 12-28-67..
1-3-68	L.M. Birrell:- Filed order, that a copy of the transcribed stenographic minutes of the pre-trial, trial and post-trial in progress be provided daily copy to deft. in forma pauperis, pursuant to sec. 753(f) of Title 28, U.S. Code. Herlands, J.
1/1/68	Defense Counsel Charles N. Brower Esq. moves to be relieved as counsel in this case motion is GRANTED. Hearing Adjourned to 1/9/68 at 10:15 AM. HERLANDS.
1/22/68	L.M. BIRRELL - Hearing held in Chambers, room 1903. HERLANDS, J. and 2 Adj'd. to 1/30/68. HERLANDS, J.
1/22/68	L.M. BIRRELL - Enclosed envelope (Govts. 3500(58)) unsealed by Judge Herlands (see official minutes of 1/22/68) and Ordered re-sealed and re-impounded. HERLANDS, J.
2-19-68	L.M. BIRRELL - Filed notice of motion for order releasing deft on personal recognizance or for bail not exceeding \$15,000. (Ret. 2-19-68)
2-19-68	L.M. BIRRELL - Filed stipulation that the motion filed 2-15-68 may be considered by Judge Herlands upon the same moving papers etc...
2-19-68	L.M. BIRRELL - Hearing held- Re; Motion for bail. oral argument heard. Hearing concluded. Decision reserved. HERLANDS, J.
2-20-68	L.M. BIRRELL -Taint Hearing was begun before Judge Herlands. & Contd. 2/23 & 2/23 1968.
3-4-68	L. M. BIRRELL- Filed stip & order that deft's motion dtd 2-15-68 be deemed amended to include 18 U.S.C. §3146 as an additional basis for the relief so sought. HERLANDS, J.
3-19-68	L. M. BIRRELL-Petitioner 's petition for writ of Habeas Corpus etc.-memo endorsed-motion granted only to the extend of directing the United States Marshal to produce the petitioner before Honorable Edmund L. Palmirei, at 10 A.M. on Monday, March 18, 1968 on the Trial Part in response to the subpoena heretofore served upon petitioner- WEINFELD, J.
3-18-68	Writ satisfied, PALMIREI, J.
4-8-68	L.M. BIRRELL -Taint hearing continued.
4-9-68	LOWELL M. BIRRELL- Filed affdvt of Lowell M. Birrell re: personal bias or prejudice
4-9-68	L.M. BIRRELL -Taint hearing continued.
4-9-68	LOWELL M. BIRRELL- Filed memo endorsed-Motion denied-so ordered- HERLANDS, J.
4-10-68	L.M. BIRRELL -Taint hearing continued.
4-15-68	L.M. BIRRELL -Taint hearing, Continued. / / / / / / / / / /

(continued on Page 20)

DATE	PROCEEDINGS
-16-68	LOWELL M. BIRRELL - Filed Affidavit of Stephen F Williams, A.U.S.A. sworn to on 4-16-68 in opposition to motion filed this day.
4-16-68	L.M.BIRRELL -Taint hearing continued.
-16-68	LOWELL M. BIRRELL - Filed Affidavit & Notice of Motion for an order directing the U.S. Attorney's Office to furnish to the deft. the G.J. minutes and all exhibits introduced before the G.J. in the following cases: 61 CR 200, 61 CR 820, 61 CR 903, 62 CR 307, 63 CR 342, 64 CR 271, 65 CR 566 and CRIM 159-275, and copies of actual photostats of all documents in the so-called "seized files" made by US Atty& his office, the SEC or any other Gov't agency authorized by any of the foregoing; and for such other & further relief as to the Court may seem just and proper. Dated: 4-12-68.
-16-68	LOWELL M. BIRRELL - MEMO ENDORSED on motion papers filed this day, "Motion granted to the extent indicated in the Court's rulings placed upon the record and reported in the official minutes of today's proceedings. So Ordered: HERLANDS, J.
-18-68	LOWELL M. BIRRELL-Filed Voucher (CJA 4) for allowance to Charles N. Brower, Counsel for \$500. plus \$4,183.51 expenses of representation (see schedule annexed) HERLANDS, J.,
-26-68	Filed order that Dr. Milton M. Mendlowitz, 2 East 95th St, NYC be employed to make such observation and medical examination of deft. L.M. Birrell as is necessary to determine deft's present physical condition, and that the U.S. Atty to pay reasonable fee for the serv of Dr. Mendolowitz not to exceed \$75. HERLANDS, J.
-29-68	LOWELL M. BIRRELL- Filed affdvt & notice of motion to relieve the assignment under the Criminal Justice Act to represent deft. Lowell M. Birrell in this case. <i>(Signature)</i>
5-10-68	XXXXXX LOWELL M. BIRELL - Filed order to committe deft. to Bellevue Hospital for a period not to exceed ten (10) day and that Dr. Herman to submit to the Court a written report of his findings. Dated 4-30-68 Herlands, J.
5-10-68	LOWELL M. BIRRELL- Filed order extending to May 21, 1968 deft's commitment at Bellevue Hospital to enable Dr. Herman and his staff to observe deft. HERLANDS, J.
5-8-68	Filed CJA Form # by Ordway Hilton-voucherrfor compensation and or expenses for investigative expert or other services dtd. 1-24-68 approved HERLANDS, J.
-14-68	LOWELL M.BIRRELL - Filed affidavit of Stephen F.Williams,AUSA dated 5-14-68....
5-24-68	Filed on manila envelope containing Psychiatric report dtd 5-17-68, ordered xxxx sealed and placed in the Vault, Room 602 HERLAND, J.
5-24-68	LOWELL M. BIRRELL- Filed affdvt Re: in support of bail motion <i>(Signature)</i>
5-24-68	LOWELL M. BIRRELL- Filed affdvt of Leonard H. Sandler in support of deft's bail application <i>(Signature)</i>
-24-68	LOWELL M. BIRRELL- Filed Government's supplementary affdvt in opposition to deft's motion for bail <i>(Signature)</i>
-24-68	LOWELL M. BIRRELL- Filed memor endorsed on motion filed 2-19-68-after argument & heretofore had on 2-19-68, the Court denies the motion in all respects in accordance with the Court's decision and opinion dictated into the record today-so ordered- HERLANDS, J. <i>(Signature)</i>

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DATE	PROCEEDINGS
5-24-68	LOWELL M. BIRRELL- Filed memo endorsed on motion filed 4-29-68. The within motion is hereby denied in accordance with the Court's decision and opinion dictated into the record of today's proceedings. so ordered. HERLANDS, J. <i>(Court to Judge Herlands to Chambers)</i>
5-27-68	LOWELL M. BIRRELL- Filed Opinion #34,831, HERLANDS, D.J. * * * * The def't's motion to dismiss defense counsel * * * * is also hereby denied. so ordered-(see Opinion filed this date & order)
5-27-68	LOWELL M. BIRRELL- Filed Transcript of record of proceedings, dated 5-24-68
5-28-68	LOWELL M. BIRRELL- Filed notice of appeal to USCA (pd.\$5)
5-31-68	LOWELL M. BIRRELL, docketed order dtd 4-30-68 committing def't to Bellevue Hospital for examination & Marshal's return executed on 5-1-68 - Affdvt of Stephen F. Williams Asst. U.S. Atty dtd. 4-30-68-A true Copy of order filed 5-10-68 signed by HERLANDS, J. & Marshal's return executed on 5-10-68
5-31-68	LOWELL M. BIRRELL- Filed duplicate notice of appeal of 5-28-68
6-4-68	LOWELL M. BIRRELL- Filed 1 manila envelope re: motion to release def't on bail- Duggan-Doreing Memorandum impounded by order of Dist. Judge Herlands (put in Cashier's vault in Room 602)
6-4-68	LOWELL M. BIRRELL- Filed 1 manila envelope re: impounded minutes inreference motion to relieve Counsel ordered by Dist. Judge Herlands (put in Cashier's vault in room 602)
6-4-68	LOWELL M. BIRRELL- Filed 1 manila envelope re: motion to relieve Legal Aid, papers submitted by def't. ordered impounded by Dist. Judge Herlands 3-19-68(put in Cashier's vault in room 602).
6-4-68	LOWELL M. BIRRELL- Filed notice of appeal \$5.00 (mailed notice to F.D.H. 427 West St., NYC)
6-5-68	LOWELL M. BIRRELL - Def't. surrendered by Surety. Bail ordered exonerated. Defendant REMANDED. (no bail). HERLANDS, J.
6-10-68	LOWELL M. BIRRELL - Filed Original, Received 6/7/68 and copy received 6/6/68, of def't's Motions (1) For relief of Legal Aid and/or Reargument of Legal Aid's Motion for Relief in which def't joined and which was denied May 24, 1968. (2) For disqualification of the Trial Judge (3) For Dismissal of the proceeding (4) For mistrial and (5) For a Stay and 2 original brown envelopes. (Transmitted to Court of Appeals by E.M. - 6/10/68).
6-20-68	LOWELL M. BIRRELL- Filed notice of appeal (copy mailed to 427 West St., & Legal Society)
6-24-68	LOWELL M. BIRRELL- Filed transcript of proceeding dtd. 12-28, 67
6-24-68	LOWELL M. BIRRELL- Filed transcript of proceeding dtd. 2-19-68
6-24-68	LOWELL M. BIRRELL- Filed transcript of proceeding dtd. 6-5-68

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DATE	PROCEEDINGS
-27-68	LOWELL M. BIRRELL-Filed Stip between attorneys that the record on appeal as it relates to deft Birell's bail situation, shall include but not be limited to, copies of the following items (1) Memorandum in support of motions of deft's appeals & motion of deft Lowell M. Birell seeking bail (filed 6-26-68) (2) Memorandum in opposition to Deft. Birell's appeals & motions with respect to bail (filed 6-26-68) (3) Affidvt of Stephen F. Williams, Asst. U.S. Atty dtd 2-13-68 (filed 6-26-68) (4) Notice of motion of February 6, 1968, including Affidvts of Martin Portnoy, Dr. Ronald Riess, Merrie V. Birrell, & Lowell M. Birrell, Jr. (Filed 6-26-68) It is further agreed that these copies shall be filed in lieu of the originals of the aforementioned documents, as said originals are a permanent part of files MM. 1823, of the United States Court of Appeals for the Second Circuit, having been filed there by the deft. Birrell on Feb. 4, 1968
-28-68	Docketed Opinion #34,833, Filed 5-28-68 (re: denying bail etc.) HERLANDS, J.
-28-68	Filed Stip between parties that any portion of the proceedings bearing criminal #61 Cr. 692 shall be available on record on appeal, including, but not limited to, the papers, transcripts, and exhibits referred to in the docket entries as specifically set forth in the index to the record on appeal attached hereto and made a part hereof etc. (see stip filed this date)
-27-68	LOWELL M. BIRRELL- Filed Order re: Docket entry of 5-24-68 & Docket entry 6-4-68 (put in Cashier's vault in room 602) Ordered that the Clerk of the Dist. Court of Southern Dist. of N.Y. transmit the two aforementioned impounded documents in sealed containers, to the Clerk of the Court of Appeals for the Second Circuit etc. HERLANDS, J. (Receipted- Received the two above mentioned manila envelopes 6-27-68- Fusaro-Clerk)
12/8/68	Filed Transcript of record of proceedings, dated 12/8/67
12/8/68	Filed Transcript of record of proceedings, dated 12/14/67
12/8/68	Filed Transcript of record of proceedings, dated 12/22/67
12/8/68	Filed Transcript of record of proceedings, dated 12/27/67
12/8/68	Filed Transcript of record of proceedings, dated 4/8/68
12/8/68	Filed Transcript of record of proceedings, dated 6/5/68
28-68	LOWELL M. BIRRELL- Filed certification of record on appeal
1/28/68	Filed Transcript of record of proceedings, dated 5/27/68
1/29/68	Filed Transcript of record of proceedings, dated 9/6/67
	Filed Transcript of record of proceedings, dated 2/5, 19, 20, 21, 23/68
	Filed Transcript of record of proceedings, dated 4/29/68
	Filed Transcript of record of proceedings, dated 5/10/68
	Filed Transcript of record of proceedings, dated 5/17/68
	Filed Transcript of record of proceedings, dated 5/23/68
1/28/68	Filed Transcript of record of proceedings, dated 6/17/68
1/28/68	Filed Transcript of record of proceedings, dated 4/9/68
1/28/68	Filed Transcript of record of proceedings, dated 4/16/68
1/29/68	Filed Transcript of record of proceedings, dated 4/29/68
1/29/68	Filed Transcript of record of proceedings, dated 6/16/68
-2-68	LOWELL M. BIRRELL - Filed impounded copy of Transcript of proceedings, dated 3/27/68. (Transcript returned to Herlands, J.).

(CONT'D.)

DATE	PROCEEDINGS
	JOEL WINSTON:
8-8-68	Filed consent order extending bail limits to include Montreal, Canada & Southern Dist of NY from 8-14 to 8-18-68, etc. HERLANDS, J.
8-15-68	LOWELL M. BIRRELL: Filed true copy of order of U.S.C.A. - A petition for a writ of mandamus having been filed herein by counsel for the petitioner (Legal Aid Society) and argument having been had thereon, it is ordered that said petition is denied. (Mailed notices 8-21-68) (To Birrell, 427 West St., & Legal Aid)
9-4-68	L.M. BIRRELL - Taint hearing continued and continued 9/5/68 and 9/6/68.
9-16-68	LOWELL M. BIRRELL - Filed letter showing address, 200 West 70th St., NYC
9-12-68	LOWELL M. BIRRELL - Filed order that deft is admitted to bail in the sum of \$30,000. (filed in 61 Cr. 200) HERLANDS, J.
9-27-68	LOWELL M. BIRRELL - Filed affdvt & unsigned order re: enlargement of bail limits - & memo endorsed - Application for enlargement of bail limits - denied as per Court's ruling placed upon the record today so ordered - (mailed notice) (filed in 61 Cr. 200) HERLANDS, J.
10-3-68	LM BIRRELL - Docketed USCA Order & Opinion filed 9-12-68. It is hereby ordered, adjudged and decreed that the order of said Dist. Court be and it hereby is reversed with the direction that bail for the appellant be set in the sum of \$30,000.00 & endorsed - Deft. released on bail, E.N. Bishopp, U.S. Comm., dtd. 9-12-68
10-2-68	L.M. BIRRELL - Filed remand dtd. 12-28-67 HERLANDS, J. (Trial cont'd and concluded - Verdict guilty - no date set for sentence - Deft. remanded (no bail))
10-1-68	L.M. BIRRELL - Filed notice of appeal to the USCA from the order of Judge HERLANDS entered 9-27-68 denying deft's motion for an extension of his bail limits. \$5.00 (mailed copy to Warden, F.D.H., 427 Est St., NYC & U.S. Atty)
10-4-68	L.M. BIRRELL - Filed USCA Order & Opinion that the order of said Dist. Court be and it hereby is reversed with the direction that bail for the appellant be set in the sum of Thirty Thousand (\$30,000.) dollars. (mailed notice)
10-25-68	Filed remand dated 10-24-68 L.M. BIRRELL
11-4-68	LOWELL M. BIRRELL - Filed Motion for mistrial relief of Legal Aid disqualification.
11-4-68	L.M. BIRRELL - Taint hearing continued.
11-6-68	L.M. BIRRELL - Taint hearing continued.
11-7-68	L.M. BIRRELL - Taint hearing continued.
11-8-68	L.M. BIRRELL - Taint hearing continued.
11-13-68	L.M. BIRRELL - Taint hearing continued.
11-14-68	L.M. BIRRELL - Taint hearing continued.
11-18-68	L.M. BIRRELL - Taint hearing continued.
11-19-68	L.M. BIRRELL - Taint hearing continued.
11-22-68	L.M. BIRRELL - Taint hearing continued.
11-25-68	L.M. BIRRELL - Taint hearing continued.
11-26-68	L.M. BIRRELL - Taint hearing continued. Court's exhibit VI Ordered sealed, impounded and placed in the Vault Room 602. HERLANDS, D.J.
11-27-68	L.M. BIRRELL - Taint hearing continued.
11-29-68	L.M. BIRRELL - Taint hearing continued.
12-9-68	L.M. BIRRELL - Taint hearing continued.
12-10-68	L.M. BIRRELL - Taint hearing continued.

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DATE	PROCEEDINGS
12-11-68	L.M.BIRRELL - Taint hearing continued.
12-12-68	L.M.BIRRELL - Taint hearing continued.
12-13-68	L.M.BIRRELL - Taint hearing continued.
12-17-78	L.M.BIRRELL - Taint hearing continued.
12-18-68	L.M.BIRRELL - Taint hearing continued.
12-19-68	L.M.BIRRELL - Taint hearing continued.
12-20-68	L.M.BIRRELL - Taint hearing continued.
12-26-68	L.M.BIRRELL - Taint hearing continued.
12-27-68	L.M.BIRRELL - Taint hearing continued.
12-30-68	L.M.BIRRELL - Taint hearing continued.
12-31-68	L.M.BIRRELL - Taint hearing continued.
12-31-68	L.M.BIRRELL - Government's exhibit 10H1id Ordered sealed, impounded and placed in the Vault, Room 602 of the Clerk's Office, HERLANDS, J.
1-2-69	L.M.BIRRELL - Taint hearing continued. --- 1-3-69 Taint hearing continued.
1/10/69	Filed Transcript of record of proceedings, dated 1/10/69 L.M. Birrell
1-21-69	LOWELL M. BIRRELL - Filed Order of the Supreme Court of the U.S. On consideration of the petition for a writ of certiorari herein the U.S. Court of Appeals for the Second Circuit, it is ordered by this Court that the said petition be and the same is hereby denied (mailed notice)
2-11-69	L.M.BIRRELL - Taint hearing continued.
2-13-69	L.M.BIRRELL - Taint hearing continued.
2-14-69	L.M.BIRRELL - Taint hearing continued.
2-17-69	L.M.BIRRELL - Taint hearing continued.
2-18-69	L.M.BIRRELL - Taint hearing continued.
2-19-69	L.M.BIRRELL - Taint hearing continued.
2-20-69	L.M.BIRRELL - Taint hearing continued.
2-24-69	L.M.BIRRELL - Taint hearing continued.
2-25-69	L.M.BIRRELL - Taint hearing continued.
2-25-69	L.M. BIRRELL - Filed CJA Form #3 & affdvt of Financial Status (mailed copy to Adm. Off. Wash. D.C.)
2-26-69	L.M.BIRRELL - Taint hearing continued.
2-26-69	L.M.BIRRELL - Filed affdvt. of Lowell M. Birrell in reference to his physical condition with letter of Dr. Alois P. Warren attached thereto.
2-27-69	L.M.BIRRELL - Taint hearing continued.
2-28-69	L.M.BIRRELL - Taint hearing continued.
3-3-69	L.M.BIRRELL - Taint hearing continued.
3-4-69	L.M.BIRRELL - Taint hearing continued.
3-5-69	L.M.BIRRELL - Taint hearing continued.
3-6-69	L.M.BIRRELL - Taint hearing continued.
3-7-69	L.M.BIRRELL - Taint hearing continued.
3-10-69	L.M.BIRRELL - Taint hearing continued.
3-11-69	L.M.BIRRELL - Taint hearing continued.
3-12-69	L.M.BIRRELL - Taint hearing continued.
3-13-69	L.M.BIRRELL - Taint hearing continued.
3-17-69	L.M.BIRRELL - Taint hearing continued.
3-18-69	L.M.BIRRELL - Taint hearing continued.
3-19-69	L.M.BIRRELL - Taint hearing continued.

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DATE	PROCEEDINGS
3-20-69	L.M.BIRRELL -Taint hearing continued.
3-21-69	L.M.BIRRELL -Taint hearing continued.
3-24-69	L.M.BIRRELL -Taint hearing continued.
3-31-69	L.M.BIRRELL - Taint hearing continued.
4-14-69	L.M.BIRRELL -Taint hearing continued. The Court directs that the Clerk open the envelope containing Govt's Exhibit 337Jid & Turn said exhibit over to Counsel for/
4-15-69	L.M.BIRRELL -Taint hearing continued. /both parties- HERLANDS, J./
4-16-69	L.M.BIRRELL -Taint hearing continued.
4-17-69	L.M.BIRRELL - Taint hearing continued.
4-18-69	L.M.BIRRELL -Taint hearing continued.
4-21-69	L.M.BIRRELL -Taint hearing continued.
4-22-69	L.M.BIRRELL -Taint hearing continued.
4-23-69	L.M.BIRRELL - Taint hearing continued.
4-24-69	L.M.BIRRELL -Taint hearing continued.
4-25-69	L.M.BIRRELL -Taint hearing continued.
4-28-69	L.M.BIRRELL -Taint hearing continued.
4-29-69	L.M.B IRRELL -Taint hearing continued.
4-30-69	L.M.BIRRELL -Taint hearing continued.
5-1-69	L.M.BIRRELL -Taint hearing continued.
5-2-69	L.M.BIRRELL -Taint hearing continued.
5-7-69	L.M.BIRRELL -Taint hearing continued.
5-8-69	L.M.BIRRELL -Taint hearing continued.
5-12-69	L.M.BIRRELL -Taint hearing continued.
5-14-69	L.M.BIRRELL -Taint hearing continued: and continued - Oral Argument heard re: Evidential hearing on the Motion for Suppression -DECISION RESERVED.
	Presentation of evidence on the evidentiary issue Concluded. HERLANDS, D.J.
6/23/69	Filed Transcript of record of proceedings, dated 8/1/68
8-5-69	BERNARD ROTTER-Filed Order that the defts bail limits as prescribed in his bail bond of 8-11-61, be & they are extended to include the S.D.N.Y. & Montreal Canada, for the purpose of taking a vacation & it is further order that except for the provisions the debt shall abide & comply with all terms & provisions of his bail bond & he shall not depart the S.D.N.Y. or Montreal Canada., It is further order that the debt shall return to the S.D.N.Y. & appear before this Court within 24 hrs of the receipt by his atty of a written communication to that effect to the U.S. Atty for the S.D.N.Y. (Sent notice) PALMIERI, J.
AUG 25 1969	Filed Transcript of record of proceedings, dated 9-4-68
AUG 25 1969	Filed Transcript of record of proceedings, dated 9-5-68
AUG 25 1969	Filed Transcript of record of proceedings, dated 9-6-68
AUG 25 1969	Filed Transcript of record of proceedings, dated 9-27-68
AUG 25 1969	Filed Transcript of record of proceedings, dated 11-8-68
AUG 25 1969	Filed Transcript of record of proceedings, dated 11-13-68
AUG 25 1969	Filed Transcript of record of proceedings, dated 11-14-68
AUG 25 1969	Filed Transcript of record of proceedings, dated 11-18-68
AUG 25 1969	Filed Transcript of record of proceedings, dated 11-19-68
AUG 25 1969	Filed Transcript of record of proceedings, dated 11-22-68
AUG 25 1969	Filed Transcript of record of proceedings, dated 11-25-68
AUG 25 1969	Filed Transcript of record of proceedings, dated 11-26-68
AUG 25 1969	Filed Transcript of record of proceedings, dated 11-27-68
AUG 25 1969	Filed Transcript of record of proceedings, dated 11-27-68

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DATE	PROCEEDINGS
AUG 25 1969	Filed Transcript of record of proceedings, dated 12-9-68
AUG 25 1969	Filed Transcript of record of proceedings, dated 12-12-68
AUG 25 1969	Filed Transcript of record of proceedings, dated 12-13-68
AUG 25 1969	Filed Transcript of record of proceedings, dated 12-17-68
AUG 25 1969	Filed Transcript of record of proceedings, dated 12-19-68
AUG 25 1969	Filed Transcript of record of proceedings, dated 12-19-68
AUG 25 1969	Filed Transcript of record of proceedings, dated 12-26-68
AUG 25 1969	Filed Transcript of record of proceedings, dated 12-27-68
AUG 25 1969	Filed Transcript of record of proceedings, dated 12-28-68
AUG 25 1969	Filed Transcript of record of proceedings, dated 12-31-68
AUG 25 1969	Filed Transcript of record of proceedings, dated 1-2-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 1-3-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 2-11-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 2-13-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 2-14-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 2-17-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 2-18-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 2-19-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 2-20-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 2-24-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 2-25-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 2-26-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 2-27-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 2-28-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 3-3-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 3-4-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 3-5-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 3-10-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 3-11-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 3-12-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 3-13-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 3-19-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 3-19-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 3-20-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 3-21-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 3-24-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 3-31-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 4-14-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 4-15-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 4-16-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 4-17-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 4-18-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 4-21-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 4-22-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 4-23-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 4-24-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 4-25-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 4-28-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 4-29-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 4-30-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 5-1-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 5-2-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 5-7-69
AUG 25 1969	Filed Transcript of record of proceedings, dated 5-8-69

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10-25-1969	Filed Transcript of record of proceedings, dated 5-12-69
10-25-1969	Filed Transcript of record of proceedings, dated 5-14-69
10-25-1969	Filed Transcript of record of proceedings, dated 6-24-69
10-16-69	Filed copy of order that the above entitled action is hereby referred to the Honorable EDWARD C. MC LEAN, United States District Judge, for all purposes. SUGARMAN, CJ.
11-17-69	LOWELL M. BIRRELL-Filed affdvt & notice of motion, for the appointment of counsel. for the vacation of the order of the Chief Judge appointing a successor Rule 2 Judge for the dismissal of the Indictment. For the return of the Illegally seized & suppressed documents & papers of the deft. For the reduction of bail & the elimination of any bail limits. for such other or further relief as to the Court may deem proper, Ret: 11-25-69.
12-3-69	LOWELL M. BIRRELL - Filed Affidavit of Frank M. Tuerkheimer, Esq., AUSA, in opposition to deft's appl'n for various types of relief. (Sent to the Court, etc.)
12-10-69	LOWELL M. BIRRELL: Filed notice of appearance by Elliot A. Taikeff, 23 West 9th St. NYC LF 3-3333
12-9-69	LOWELL M. BIRRELL-Filed CJA form 2 Order appointing counsel Elliot A. Taikeff, same pro tune as of 11-25-69. (mailed copy to Adm Off Wash D.C.) McLEAN, J.
12-15-69	LOWELL M. BIRRELL: Filed supplemental affdvt of Elliott A. Taikeff, Atty for deft. in support of deft's motions. Filed memo endorsed on motion filed 11-17-69 (attached)
12-15-69	LOWELL M. BIRRELL: These motions are disposed as follows: I granted deft's motion for appointment of counsel-- The motion to vacate Chief Judge Sugarman's order appointing me under Rule 2 to succeed the late Judge Herlands is DENIED -- The motion to reduce bail below the amount fixed by the Court of Appeals is DENIED-- The motion to enlarge the present bail limits is DENIED without prejudice ***--Decision of the motion to dismiss the indictment and the motion to direct the return to deft. of the documents will be deferred until 2-1-70. At the argument on 11-25-69, I gave the government until 12-31-69 and deft until 2-1-70 to submit memoranda as to the action that they believe this court should take with respect to the various motions which were pending before Judge Herlands and which he did not decide before his death. One of these was a motion for a return of the documents. Pending decision of these motions, deft and his atty will be given access to the documents which are now held in the courthouse-so ordered- (mailed notice) MC LEAN, J.
12-23-69	Filed Transcript of record of proceedings dated 11/25/69
12-29-69	FILED Notice of Appeal - Reduction of Bail and the Elimination of any Bail Limits.
12-31-69	LOWELL M. BIRRELL: Filed memorandum
12-31-69	LOWELL M. BIRRELL: Filed order that deft. shall have exclusive use of the facilities of Room 607L, U.S. Courthouse, Foley Square, NYC and the contents thereof until further order of the Court. MC LEAN, J.

DATE	PROCEEDINGS
2-6-70	LOWELL M. BIRRELL - Filed Recognizance bond sum of \$30,000. dtd 9/12/68 (Bishopp) w/security.
	consent & order
2-17-70	BERNARD ROTGER: Filed/order that the bail limits as prescribed in the deft's bail bond executed on 8-11-61 be and they are extended to include the SDNY & freeport, Grand Bahama Islands and Miami, Florida etc. WEINFELD, J. (mailed notice)
3-5-70	LOWELL ML BIRRELL: Filed affdvt & ntcice of motion re: bail status ret. 3-11-70
3-12-70	LOWELL M. BIRRELL: Filed memo endorsed on motion filed 3-5-70- Deft. is represented by : Atty appointed by the Court. Under these circumstances, the Court. will not entertain entertain any motion made by the deft. pro-se. This motion is denied without prejudice to renewal upon a proper showing of good cause for extending deft's bail limits. so ordered- (mailed notice) MC LEAN, J.
3-11-70	LOWELL M. BIRRELL- Hearing before Mc Lean, J. List with serial numbers prepared by Judges Law Clerk, Mr. Case, Marked Court's Exhibit #1 and items listed turned over to deft. No objections from Govt. Deft's motion to change bail denied MC LEAN, J.
10-19-70	Lowell M. Birrell- Filed AUSA Mr. Kelleher, affidavit in opposition of motion to extend bail limits.
10-19-70	LOWELL M. BIRRELL - Filed Order for temporary extension of bail limits, (notice mailed) McLEAN, J.
10-19-70	LOWELL M. BIRRELL - Filed affidavit of Lowell M. Birrell in connection with applicatic for temporary extension of bail limits.
1-20-70	LOWELL BIRRELL- Filed copy notice of motion and affdvt. to return property seized. With memo endorsed; I am informed by the Clerk's Office that the original motion papers on this motion were never filed. *** On the adjourned date neither deft. nor his attorney appeared, although all the other parties were present. The motion is denied. So Ordered. (mailed notice) McLEAN, J. <i>61-2</i>
12-22-70	<i>Filed Transcript of record of proceedings, dated 10-5-70</i>
5-13-71	Leo Glassman- Entered and filed Nolle Prosequi. McLean, J.
11-16-71	L.M. BIRRELL: Filed order that evidentiary hearing will be commenced on March 20, 1972, it is further ordered on or before March 1, 1972 the deft. shall file and serve his trial memorandum. MC LEAN, J.
3-8-72	Birrell-Filed Govt's affidavit in response to motion for the appointment of counsel.
4-26-72	J.A. Winston & Co, Inc., Lowell M. Birrell, Benjamin N. Saporta, Matthew Naphitali, Harry Levine, Max Levine, Bernard Potter, Benof Berman and Phil F. Krumholz - ENTERED AND FILED NOLLE PROSEQUI. MC LEAN, J.

DATE	PROCEEDINGS
4-28-72	JOE (A. WINSTON) ALBERT BERNSTEIN) IRVING BERNSTEIN) MORRISON GILBERT) Pre-sentence investigation order. Sent date 6-9-72 at 2 p.m. McLean, J.
5-10-72	Lowell M. Birrell Filed - Copy 5 of C.J.A. form 21. Authorization for expert service by Southern Dist. Court Reporters U.S. Courthouse Foley Square, N.Y. McLean, J.
7-24-72	Motion withdrawn plea of guilty by Joel A. Winston granted. - Trial set for Nov Albert Bernstein 20, 1972. Irving Bernstein Mc Lean, J. Morrison Gilbert
7-27-72	Re: Birrell - Mot-re disposition of files, drawers boxes etc - Dec. Res. Mc Lean, J.
6-23-72	Filed Transcript of record of proceedings dated 4-28-72
6-7-72	L.A. Winston & Co., Inc. and Albert Bernstein - Filed notice of motion for an order permitting said defts. to withdraw their pleas of guilty. - ret. 6-16-72 at 2 P.M. in Room 20001.
6-12-72	Irving Bernstein and Morrison Gilbert - Filed notice of motion for an order permitting defts. to withdraw their pleas of guilty. - ret. 6-16-72 at 2 P.M.
6-16-72	Filed affdvt. by David M. Brodsky, A.U.S.A. in opposition to motions filed on 6/7/72 and 6/16/72
7-28-72	L.A. Winston & Co., Inc. and Albert Bernstein - Filed memo endorsed on defendants motion filed 6/7/72: Motion is granted for the reasons stated by the Court at the conclusion of hearing. Case set for trial at 10:00 A.M. - 11/20/72 in Rm. 128 - So ordered. -- Mc Lean, J.
7-28-72	Irving Bernstein and Morrison Gilbert - Filed memo endorsed on defts. motion filed 6-12-72: Motion is granted for the reasons stated by the Court at the conclusion of hearing. Case set for trial at 10:00 A.M. - 11/20/72 in Rm. 128. - So ordered. -- Mc Lean, J.
P 8 7-27-72	Filed Transcript of record of proceedings dated 7-27-72
10-6-72	J.A. WINSTON) A. BERNSTEIN) Filed affdvt & notice of motion to dismiss indictment, memorandum of law attached.... Ret. 10-13-72 at 2 P.M...
10-11-72	I. BERNSTEIN) M. GILBERT) Filed advt & notice of motion to dismiss the indictment... Ret. 10-13-72 2 P.M.
1-30-72	Hearing held Re: Disposition of files etc, Order to be submitted Knapp, J. (Voucher No. 1)
12-13-72	Filed CJA Form 4/approving payment to Elliot Taikeff ^{transcript of Birrell} Knapp, J.
12-13-72	Filed CJA Form 4 (Voucher No. 2) approving payment to Elliot Taikeff, to Knapp, J. ^{representing H. Birrell}

DATE	PROCEEDINGS
2-13-72	Filed Affidavit of Elliot Taikeff in support of CJA Form 4.
2-15-72	Filed order in re motion by Govt dated 7-19-72 for an order disposing of the sequestered files and records and in re cross-motion dated 11-3-72 by deft. Birrell. Ordered that lock on room containing records be changed under supervision of the Clerk of the Court, the said room to be locked and sealed and the key to said room be delivered to the Chambers of Hon. Whitman Knapp, USDJ., etc. -- Knapp, J.
-11-73.	Joel Alfred Winston, Albert Bernstein, Irving Bernstein and Morrison Gilbert. Filed memorandum and order by Judge Knapp, dtd. 1-10-73; granting defendants motion to dismiss indictment. (m/n)
-18-75	<i>Howell Birrell - Files Order by Knapp, J. directing Clerk to Close & submit 7-5-75.</i>
1-2-75	<i>Filed memo. endorsed on Order dtd. 3/18/75. "The above case having been closed, the order is hereby recalled."</i>
7/30/91	Filed ORDER that the files and records in this action are hereby UNSEALED....KNAPP, J.